

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

902 CIVIL APPLICATION NO.11609 OF 2017 IN FA/3632/2017
WITH
FIRST APPEAL NO. 3632 OF 2017

M/S NATIONAL INSURANCE CO. LTD., THR ITS ASSTT. MANAGER
VERSUS
RAMESH KISHANRAO LOMTE AND ORS

...

Advocate for Appellant : Mr. Upadhye Vinayak Narayan

CORAM : K. L. WADANE, J.

DATE : 12th September, 2017

ORDER:

1. Heard Mr. Upadhye, the learned counsel for the applicant/appellant.

2. This is an application for stay to the operation and execution of the impugned award. The learned counsel submits that the learned Tribunal has awarded compensation to the claimant and the appellant insurance company is held liable to the extent of 50% amount and owner of the vehicle for 50% amount of compensation. The appellant Insurance company has already deposited the 50% amount of compensation.

3. Hence, in view of the statement made by the learned counsel for the applicant/appellant, the execution and operation of the award under challenge is hereby stayed to the extent of appellant Insurance

company. Civil application disposed of.

4. In first appeal, issue notice to the respondents, returnable on 07.11.2017.

(K. L. WADANE, J.)

JPC